MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 2, 2021/2022

ULS1612 – LEGAL SKILLS

(All Sections / Groups)

27 APRIL 2022
Reading Time: 9.15 a.m. – 9.30 a.m.
(15 Minutes)
Answering Time: 9.30 a.m. – 12.30 p.m.
(3 Hours)

INSTRUCTIONS TO STUDENT

1. Students will have **fifteen minutes** during which they read the paper and make rough notes ONLY on their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.

2. This Question paper consists of 3 Pages and 5 Questions only.

3. This Question paper consists of 2 sections. Attempt **ONE** question only in **Section A** and all **THREE** questions in **Section B**. All questions carry equal marks and the distribution of the marks for each question is given.

4. Please write all your answers in the Answer Booklet provided.

PART A: ANSWER QUESTION 1(A) OR 1(B) ONLY

QUESTION 1(A)

Louis is the President of the NGO "Child in Need" and every year the organization will hold a charity ball, during which the highlight of the event is the auction for donations segment. Every year, good samaritans will donate some items and put it on auction and the proceeds will go to the "Child in Need" Organization. Louis' team will put up an advertisement and invite anyone to participate in the auction or sale.

There are several items on the list of the auction or on sale which include old pianos, designer watches, designer handbags and other exclusive items. On the day of the event, Ariana who is one of the attendees, approaches the Auction and Sales Team and informs them that she would like to purchase the piano as advertised. However, unfortunately, the piano is already sold to someone else and will not be put up for auction.

Ariana feels cheated and is demanding that the organizer compensate her for her loss, as the organizer had failed to honour the offer that was made. Louis, the President of the NGO has now approached you, and ask for your legal opinion on the matters that have been raised. Provide a written legal opinion to advise Louis accordingly. You may create an additional and/or fictional address in drafting the written opinion.

(Total: 25 marks)

----------OR----------

QUESTION 1(B)

Maya loves extreme sports and has decided to indulge in cycling in hilly areas. Since Maya did not have a suitable bike for the activity, Maya went to LWT Enterprise to get one. Maya did not have an intensive knowledge on mountain biking so she specifically told the salesperson that she was looking for a bicycle that is suitable for hilly or mountain dirt roads.

The salesperson then gave several options for Maya to choose from and told her that all the options are suitable for hilly or mountain dirt roads. After weighing several options, Maya finally decided to buy a “Mojo Jojo” bike. Two weeks after Maya had purchased the bicycle, she and her friends went to Gunung Datuk to try her new bike. Unfortunately, when Maya tried to use the bicycle to ride on the hilly roads, it didn’t work out the way she wanted as the bike was unable to perform climbing up steep hills and the spoke and wheels of the bike got seriously damaged.

Continued…

To make matters worse, while riding her bicycle in the hills, the mountain bike gears and brakes malfunctioned causing Maya to lose control of the bike and this caused Maya to collide into Ah Kow who was hiking through the trail. Due to the accident, Ah Kow suffered severe injuries. Both his arms are now broken. His nose is also broken and he needed to have a few stiches on his forehead for a deep wound.

Ah Kow is blaming Maya for her negligence and is demanding that Maya cover all his medical bills at Pantai Specialist Centre amounting to RM 8,000. He has also demanded that Maya pay him RM 5,000 as compensation. Maya has now come to you for advice. Prepare a written legal opinion to Maya on the above matter. You may create an additional and/or fictional address in drafting the written opinion.

(Total: 25 marks)

SECTION B: ANSWER ALL QUESTIONS

QUESTION 2

Explain five (5) questioning techniques (yes/no question, open question, semi-open question, closed question and leading question) when conducting a client interview. In your answer, provide at least two examples of question(s) and answer(s) for each of the five question techniques mentioned above. The questions should be designed pertaining to a client interview session on a claim for breach of contract amounting to RM 150,000. To conclude your answer, illustrate why stereotyping of a client in a client interview must be avoided.

(Total: 25 marks)

QUESTION 3

Due to the pandemic and lockdown, Harry has not been able to work and has lost his income for the last 1 year. He is in desperate need of money and decides to sell his designer's watch "'Rolex". Harry offers Olivia to sell it for the price of RM25,000-00 and the offer is up for one whole week and if there is no acceptance on Olivia's part, Harry will sell it to another person.

In order to show how serious Olivia is, she transfer RM2,000-00 to Harry's Maybank account (No: 00119840264562) as a deposit payment. Three (3) days after the offer has been made, Olivia sent a text via Whatsapp to Harry and she told Harry that she is willing to purchase the watch for the price of RM20,000-00 instead of the initial price of RM25,000-00. Harry did not respond to the text but the Whatsapp indicator shows that Harry already read the text as there is a bluetick next to the text sent by Olivia.

Continued…

Olivia just ignored it and believes that Harry is probably busy and will reply to her later. Harry, on the other hand approaches Niall and asks him if he is willing to purchase the watch for RM25,000-00, and Niall immediately agrees to it and pays in cash to Harry. Harry did not inform this matter to Olivia nor did he mention it to Niall. A week passes by and Olivia still hasn't heard anything from Harry, so she decides to call Harry to ask him about it and to her dismay; Harry informed her that he already sold it to Niall because he did not agree with the new price offered by Olivia. Olivia is so disappointed and has decided to sue Harry for specific performance and breach of contract in the Melaka Magistrate Court. By referring to the above situation, proceed to draft a statement of claim on behalf of Olivia and statement of defence on behalf of Harry. You may add or create Harry and Olivia personal details to be included in your statement of claim and defence.

(Total: 25 marks)

QUESTION 4

A legal practitioner must provide the best possible advice to his client and thereafter to provide the best representation for his client in the court of law. Hence, the legal practitioner is duty bound to examine the dispute and issues raised by the client according to MIRAT and/or Bullseye legal method only.

Discuss the paragraph above and indicate in your answer whether you agree or disagree with the approach of the legal practitioner in relation to resorting to the methods that have been mentioned. Provide a detailed explanation and compelling reasons for your chosen answer.

(Total: 25 marks)

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